

# **CALIFORNIA ENVIRONMENTAL QUALITY ACT**

## **SPECIAL INITIAL STUDY**

*The Department of Toxic Substances Control (DTSC) has completed the following Special Initial Study for this project in accordance with the California Environmental Quality Act (§ 21000 et seq., California Public Resources Code) and implementing Guidelines (§15000 et seq., Title 14, California Code of Regulations). This Special Initial Study has also been used to satisfy the requirements of section 711.4, of the Fish and Game Code and the Code of California Regulations, title 14, section 753.5 relating to filing of environmental fees.*

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### **I. PROJECT INFORMATION**

Project Name: Electronic Hazardous Waste Regulations (R-01-06)

Site Location: The project is the adoption and implementation of statewide regulations governing the management of hazardous waste cathode ray tube (CRT) materials and consumer electronic devices (CEDs) as universal waste. The regulations do not address site-specific conditions and do not require or mandate construction of new facilities or infrastructure (i.e., buildings, roads, or recycling/disposal facilities). A wide variety of businesses (i.e., retail stores, hospitals, and industrial facilities), government entities, and individual households statewide may generate and handle the CRT and CED wastes proposed for management under universal waste requirements.

Department Proposing Project:

Department of Toxic Substances Control  
Hazardous Waste Management Program  
1001 I Street, 11<sup>th</sup> floor  
Sacramento, California 95814

### **SUMMARY:**

The project is the adoption of regulations (DTSC reference number R-01-06) that establish new management standards for the handling of electronic hazardous wastes, namely cathode ray tubes (CRTs) and consumer electronic devices (CEDs). The project designates these wastes as eligible to be managed as universal wastes and sets the management standards for these wastes in California Code of Regulations, title 22, division 4.5, chapter 23.

Universal wastes are a select category of hazardous wastes that the lead agency, the Department of Toxic Substances Control (DTSC), has determined qualifies for inclusion and can be safely managed under an alternate chapter of the hazardous waste regulations. DTSC proposes universal waste management standards for CRTs and CEDs in the proposed regulation package, Electronic Hazardous Waste Regulations (R-01-06). DTSC believes the project will bring about the proper management and disposal of waste CRTs and CEDs and promote the recycling of these wastes.

The proposed regulations establish handling and transportation requirements for the wastes at issue that are identical or very similar to the existing universal waste regulations. In addition, the proposed regulations apply waste-specific requirements to the management of CRTs that are

recycled (i.e., to the physical size reduction of the waste CRTs that are recycled to produce crushed CRT glass).

## BACKGROUND AND DISCUSSION

Scope: This project is limited in scope to two categories of hazardous waste, CRTs and CEDs.

### CRTs

CRTs are the visual display components commonly used in televisions and computer monitors. They are currently subject to full hazardous waste control laws in California<sup>1</sup>, primarily because they contain lead, a regulated toxic constituent. A typical computer monitor CRT contains about 2.4 pounds of lead oxide. A television CRT may contain up to 10 pounds of lead oxide, depending on the size and type of CRT. This high lead content typically causes the television or computer monitor to exceed the hazardous waste threshold level of 5.0 milligrams per liter (mg/l) of soluble lead. Pursuant to current State hazardous waste regulations, discarded CRT-containing monitors and televisions that exhibit the hazardous waste characteristic of toxicity due to soluble lead content must be managed as hazardous waste.

### CEDs

The universe of CEDs is broader than, and includes as a subset<sup>2</sup>, the universe of televisions and computer monitors, or CRT devices as they are referred to in the proposed regulations. The universe of CEDs also includes computers, telephones, answering machines, radios, stereo equipment, tape players, compact disc players, videocassette recorders and other electronic devices commonly used in homes and businesses. CEDs typically contain printed circuit boards and other electronic components made of conductive metals. The electronic devices may contain sufficient quantities of these metals, especially lead, to exceed the State's existing concentration-based thresholds for soluble metals that identify wastes as hazardous wastes. The proposed regulations only pertain to CEDs that exhibit the characteristic of toxicity. Pursuant to current State hazardous waste regulations, discarded CEDs that exhibit the hazardous waste characteristic of toxicity must be managed as hazardous waste.

The CRT and CED wastes proposed for management under the universal waste requirements are well-characterized, low-risk wastes that are generated by most businesses and households in the state. In most cases, the packaging, design, and housing of the original product helps contain and control any potential release of the hazardous constituents contained in the devices during the use, storage and transport of the wastes when they are discarded. The exception is the televisions and computer monitors that have an exposed glass surface. However, specific standards have been proposed in the regulations to ensure that the CRT glass is contained.

In virtually all cases, people frequently and routinely handle these wastes (sans any special handling precautions or packaging standards) without occurrence of injury or illness. It is primarily for this reason that DTSC has proposed to apply the universal waste management standards to these wastes. In other words, it is primarily for this reason that DTSC has determined that these wastes do not necessarily need to be packaged in 55-gallon drums or similar containers, accumulated and labeled, as are other hazardous wastes, and transported by registered hazardous waste transporters using Uniform Hazardous Waste Manifests.

Note: While the proposed regulations include language adding waste aerosol cans and mercury-containing switches to the universal waste category, the application of the universal waste standards to these wastes is not part of this project. This project (and CEQA analysis) only

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<sup>1</sup> In August 2001, DTSC adopted emergency regulations for CRTs. This project makes permanent those regulations. In this document the regulatory status of CRTs that would exist if the emergency regulations are not permanently adopted (i.e., hazardous waste status) is referred to as the baseline or current regulatory standard.

<sup>2</sup> The proposed regulations exclude CRTs and CRT devices from the definition of CEDs for clarity purposes.

addresses the management of CRTs and CEDs. The management of aerosol cans and mercury-containing switches as universal wastes was instituted by Health and Safety Code section 25201.16 and other projects (DTSC rulemaking R-02-04 provides the CEQA analysis for the mercury-containing switches).

#### California Universal Waste Rule -- Discretionary Authority:

The universal waste rule (UWR)<sup>3</sup> is a component of the existing federal hazardous waste program under the Resource Conservation and Recovery Act (RCRA) or the RCRA Program. Because the UWR is part of the RCRA Program, authorized states may adopt and apply the UWR in their respective states. California is an authorized state under the RCRA Program and DTSC is the agency in California with the responsibility to implement (and enforce) that program to avoid significant adverse environmental effects. Therefore, DTSC is authorized to use its discretionary powers with respect to the implementation of this rulemaking and with respect to the CEQA process that accompanies the project pursuant to California Code of Regulations, title 14, division 6, chapter 3, section 15040.

#### Project Description -- Regulation of Hazardous Waste as Universal Waste

The California universal waste regulations currently in place for batteries, thermostats, and lamps are based on the federal UWR. These regulations were specifically developed to address common hazardous wastes produced by large segments of society. The federal UWR was designed to reduce the amount of hazardous waste items in the municipal solid waste stream, to encourage recycling and proper disposal of certain common hazardous wastes, and to provide appropriate management standards for persons and businesses generating these low-risk hazardous wastes. To achieve these goals, the State UWR modifies the regulatory requirements for: notification, labeling and marking, accumulation time limits, training, release response, transportation and documentation requirements that are normally applicable to hazardous wastes. (Collectively these activities are referred to as the "waste management standards" or just "management standards.")

A comparison of the existing full hazardous waste management standards and the universal waste management standards is provided in Table I. This general comparison illustrates the effect of the proposed rulemaking (the project). Refer to the existing and proposed regulations and appropriate supporting documents on record for specific details and background information, these documents are incorporated by reference. Table II provides a summary of the waste specific management requirements proposed to ensure that these wastes are safely managed under the universal waste standards. It should be noted that the preexisting universal waste management standards themselves are not part of the discretionary action being undertaken by the lead agency wherein those standards are specified in the federal regulations and are part of the UWR that is required for RCRA authorization. It should also be noted that those standards have previously been reviewed in accordance with the California Environmental Quality Act and the National Environmental Policy Act. Therefore, this analysis assumes that those analyses were sufficient to address the basic philosophy of the UWR and its "base" standards. Accordingly, this analysis focuses only on reasonably possible and potential environmental effects and impacts that may result from the management of the specified wastes in accordance with the standards set forth in the project.

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<sup>3</sup> USEPA also intends to propose managing cathode ray tubes (CRTs) as universal waste in the near future as noted in U.S. EPA's Fact Sheet, "More Recycling and Reuse Proposed for Electronic Wastes and Mercury-containing Equipment," April 2002, EPA530-F-02-018 and in the proposed federal regulations at 67 Fed. Reg. 40508, (June 12, 2002).

Table I  
Hazardous Waste Management Standards vs. Universal Waste Management Standards

<b>Type of Waste Handler</b>	<b>Hazardous Waste Management Standards</b>	<b>General Universal Waste Management Standards</b>
Generator Or Handler	<p>Classify waste</p> <p>Notify/obtain an EPA ID number</p> <p>Formal employee training, records retention</p> <p>Contingency plan for hazardous waste areas</p> <p>90/180/270 day accumulation time limit depending on generation rate and location</p> <p>Label according to waste and accumulation start time</p> <p>Storage area standards – signs, separation of incompatibles</p> <p>Container management standards – condition of containers, closed containers</p> <p>Use of manifest for shipping and use of a registered hauler</p> <p>Send only to permitted facility</p>	<p>Classify waste</p> <p>Obtain EPA ID number only if more than 5000 kg of UW onsite (except CRTs when recycled).</p> <p>Ensure that employees are trained Training specific to CRT recycling/CRT glass</p> <p>No contingency plan</p> <p>Accumulation time limit of 1 year</p> <p>Label as Universal Wastes</p> <p>Posting required for CRTs, if pallets/containers not labeled.</p> <p>Performance standards applied.</p> <ul style="list-style-type: none"> <li>- Protect universal wastes from breakage</li> <li>- Must use Compatible containers/packaging materials</li> </ul> <p>Manifest or registered hauler not required.</p> <p>Do not dispose onsite. Take/send to intermediate handler, authorized disposal facility, or recycling facility.</p>
Transporter	<p>Registration – application, insurance</p> <p>Take to permitted facility</p> <p>Clean up releases</p> <p>Use Uniform Hazardous Waste Manifest</p>	<p>No registration required</p> <p>Transport to another handler, or to a destination facility.</p> <p>Clean up releases</p> <p>Use common bill of lading.</p>
Transfer facility	<p>Keep waste only 10 days in areas zoned industrial, six days in all other areas. No repackaging, pumping, or other treatment.</p>	<p>Same</p>
Destination facility	<p>Subject to applicable full hazardous waste management requirements.</p>	<p>Subject to applicable full hazardous waste management requirements.</p>

Table II  
Waste Specific Management Standards as Universal Waste

Waste Specific Management Requirements	CRT Materials	Consumer Electronic Devices
Household hazardous waste generators and federal conditionally exempt small quantity generators may dispose of CEDs as non-hazardous waste until February 8, 2006. (This exemption requires the waste to be disposed in a landfill permitted to accept municipal solid waste or hazardous waste.)		✓
Manage wastes in a way that prevents releases to the environment.	✓	✓
Wastes must be managed/placed in containers or packages that are structurally sound, adequate to prevent breakage, and compatible with the waste. (Intact or whole wastes that are managed to prevent breakage or release of waste constituents are deemed to meet this condition.)	✓	✓
Waste spills or breakage (releases) must be cleaned up immediately.	✓	✓
Broken, leaking, damaged, or spilled waste must be placed in closed, structurally sound containers and packages that are compatible with the waste and show no evidence of leakage, spills, or damage that could cause leakage under reasonably foreseeable conditions.	✓	✓
Determine if any material, cleanup residue, or waste resulting from management of the universal waste is hazardous waste. If hazardous, manage according to full hazardous waste requirements. If non-hazardous, manage according to solid waste requirements. [Waste consisting only of residues of leaking, broken, or damaged CRT material may be managed as universal waste provided the waste is repackaged.]		✓
Label waste containers as universal waste and identify type of waste (e.g., consumer electronic devices, CRT devices).	✓	✓
Accumulation of waste limited to one year from date of generation or receipt from another handler.	✓	✓
Notifications to DTSC required for: <ol style="list-style-type: none"> <li>1. Universal waste shipments to a foreign destination.</li> <li>2. Handler accepting more than five devices or more than 100 kg per calendar year from offsite sources.</li> <li>3. Handling &gt;5,000 kg (about 200 CRTs) or more per calendar year.</li> </ol>	✓ ✓ ✓	✓
Removal of CRTs from housing allowed if done according to the conditions established in the regulations (see below):		

<ol style="list-style-type: none"> <li>1. CRTs are removed in a manner designed to prevent breakage.</li> <li>2. Removal done over or in a containment device adequate to contain any releases.</li> <li>3. Persons removing CRTs are trained in techniques and safety procedures required for safe removal.</li> <li>4. Removed CRTs are placed in containers with sufficient packing materials to prevent breakage during handling, storage, and transportation.</li> <li>5. Determine if any remaining portion of CRT device/housing is hazardous and, if so, manage accordance with all applicable hazardous waste requirements.</li> </ol>	✓  ✓  ✓  ✓  ✓	
<p>Treatment or recycling to physically reduce the size, or separate components based on size, allowed if done according to local zoning or land use requirements and the conditions established in the regulations:</p> <ol style="list-style-type: none"> <li>1. Submit to DTSC a notification of operation.</li> <li>2. Submit to DTSC documentation of financial assurance for closure and financial responsibility for liability.</li> <li>3. Prepare, maintain, and submit as requested/required the following documents: <ol style="list-style-type: none"> <li>a. Copy of the most recent notification.</li> <li>b. Copy of any local air district permit or other permits required.</li> <li>c. Annual report on the volumes and disposition of wastes, treatment method, and sources of waste.</li> </ol> </li> <li>4. Treatment only to be done for the purposes of recycling and not for treatment purposes.</li> <li>5. Treatment only uses physical processes (such as breaking, crushing, or compacting) that only change the physical properties of the waste. <u>Treatment using chemical (including water) or external heat (except use of a pinpoint touch to thermally crack glass) is prohibited.</u></li> <li>6. Treatment is done over or in a containment device adequate to contain any spills, releases, or debris.</li> <li>7. Persons performing treatment or recycling are thoroughly familiar with and have access to the proper procedures and protective equipment necessary to safely conduct the treatment and comply with the regulations.</li> <li>8. Ensure that facility is operated in compliance with all applicable local air pollution control laws, regulations, or requirements.</li> <li>9. Classify and manage any wastes or materials generated as a result of the treatment process in accordance with applicable solid and hazardous waste requirements (other than the CRT glass sent to a lead smelter or to glass-to-glass recycling).</li> </ol>	✓  ✓  ✓  ✓  ✓  ✓  ✓  ✓  ✓  ✓  ✓  ✓	
<p>All employees handling waste must be trained in proper handling and emergency procedures associated with management of the waste.</p>	✓	✓
<p>Disposal, dilution, or treatment is prohibited if waste is managed as universal waste (except for exempted wastes, like household wastes, or where responding to a</p>	✓	✓

release or specific management requirements).		
Record all shipments of wastes received and sent, and keep records for a minimum of three years. (Records may be in the form of a log, invoice, manifest, bill of lading, or other shipping document.)	✓	✓

In the remainder of this analysis, the activities that could potentially result in an environmental impact are described and referred to using the following terms and associated meanings:

*Generate* or *handle* means to produce and/or store waste CRTs and/or CEDs at a location.

*Package* or *containerize* means to place wastes in suitable containers for transport.

*Transport* or *ship* means to move waste CRTs and/or waste CEDs from one location to another.

*Recycle* or *recycling* means to collect, store and dismantle CRTs to produce crushed CRT glass.

*Disposal* means to place waste CRTs and /or CEDs on the ground.

*Manage* or *waste management* encompasses all of the above listed activities.

*Regulation* of CRTs and CEDs means to adopt statewide regulations for these wastes.

## II. DISCRETIONARY APPROVAL ACTION BEING CONSIDERED BY DTSC

- |  |  |  |
|--|--|--|
| <input type="checkbox"/> Initial Permit Issuance | <input type="checkbox"/> Removal Action Plan     | <input type="checkbox"/> Permit Renewal  |
| <input type="checkbox"/> Permit Modification     | <input type="checkbox"/> Removal Action Workplan | <input type="checkbox"/> Closure Plan    |
| <input checked="" type="checkbox"/> Regulations  | <input type="checkbox"/> Interim Removal         | <input type="checkbox"/> Other (Specify) |

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Program  
Region Approving Project: Hazardous Waste Management Program,  
DTSC Headquarters

Contact Persons: Ellen Haertle/ Charles Corcoran  
Address: Department of Toxic Substances Control  
Hazardous Waste Management Program  
1001 I Street, 11<sup>th</sup> floor  
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## III. ENVIRONMENTAL RESOURCES POTENTIALLY AFFECTED

The boxes checked below identify environmental resources that were found in the following ENVIRONMENTAL SETTING/IMPACT ANALYSIS section to be potentially affected by this project, involving at least one impact that is a "Potentially Significant Impact".

- |   |  |  |
|---|--|--|
| <input type="checkbox"/> Aesthetics             | <input type="checkbox"/> Hazardous Materials         | <input type="checkbox"/> Population & Housing          |
| <input type="checkbox"/> Agricultural Resources | <input type="checkbox"/> Hydrology and Water Quality | <input type="checkbox"/> Public Services               |
| <input type="checkbox"/> Air Quality            | <input type="checkbox"/> Land Use and Planning       | <input type="checkbox"/> Recreation                    |
| <input type="checkbox"/> Biological Resources   | <input type="checkbox"/> Mineral Resources           | <input type="checkbox"/> Transportation and Traffic    |
| <input type="checkbox"/> Cultural Resources     | <input type="checkbox"/> Noise                       | <input type="checkbox"/> Utilities and Service Systems |
| <input type="checkbox"/> Geology And Soils      |  | <input type="checkbox"/> Cumulative Effects            |

#### IV. ENVIRONMENTAL IMPACT ANALYSIS

This document provides a brief description of the physical environmental resources that exist within the area affected by the proposed project and an analysis of whether or not those resources will be potentially impacted by the proposed project. This document was prepared using the guidance provided and referenced in DTSC's California Environmental Quality Act Initial Study Workbook; and the analysis is based on the thresholds of significance referenced on page seven of that guidance document. To assist the reader, the "threshold questions" from that guidance have been left in place in this document and immediately precede each analytical discussion or finding.

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##### **1. Aesthetics**

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*Project activities likely to create an impact:*

- Management of CRTs and CEDs under the universal waste standards.

*Description of Environmental Setting:*

The project is the adoption and statewide implementation of regulations governing the management of CRTs and CEDs as universal wastes. The regulations do not require or mandate construction of new facilities or infrastructure (i.e., buildings, roads, or disposal facilities). A wide variety of businesses (i.e., retail stores, hospitals, and industrial facilities) and individual households statewide may generate and handle the CRT and CED wastes proposed for management under universal waste requirements. In general, these handlers will be located in urban or industrialized areas throughout the state. Universal waste management activities or storage of universal wastes may be visible at some locations depending on individual site conditions.

*Regulatory Setting:*

Local agencies have the authority to establish land use, zoning, or building requirements that address the visual or aesthetic impacts of development. These requirements will vary statewide according to the local jurisdiction.



Visual aesthetics along designated state highways are maintained by the California Scenic Highway Program. This program is overseen by the California Department of Transportation (CalTrans) Office of State Landscape Architecture and is implemented by local governments. The goal of the program is to preserve and enhance the natural beauty of California. Once a highway is designated, the local jurisdiction must adopt a program to protect the scenic corridor surrounding the designated highway segments. The local zoning and land use along the highway must meet the minimum program standards including permit controls, approvals on development density, design, and appearance of structures and equipment in these areas. CalTrans also regulates scenic vistas constructed as part of or adjacent to highways in California. Scenic vistas are often associated with officially designated Scenic Highways, but may also be located near other construction projects where there are outstanding points of scenic interest.

*Analysis of Potential Impacts:*

Beyond individual waste generators, collection and storage of CRTs and CEDs as universal wastes are expected primarily at existing businesses or facilities. A few new recyclers of CRTs may be created as a result of the project. New businesses that might be established specifically to collect, manage and store universal wastes would be subject to local zoning, planning, and building requirements that address visual and aesthetic impacts in the area.

Existing businesses accept and store waste CRTs and CEDs generated by their customers as a service to their customers and to recycle the wastes. These businesses usually have a physical infrastructure already in place that would obstruct view of the wastes (e.g., building walls and fencing). Those buildings and fences dominate the visual and aesthetic aspects of these sites. Because universal waste management activities would be incidental to or are part of the main business activity currently occurring at these sites and these wastes would ordinarily be stored within these fences and buildings, management of the waste CRTs and CEDs as universal wastes at these businesses is not expected to significantly impact the visual or aesthetic impact of the site. It should be noted that the existing hazardous waste standards do not preclude generators from producing these wastes and storing these types of materials or wastes at these facilities. DTSC is not aware of any regulations or ordinances (that would serve as thresholds of significance) prohibiting residences or businesses in these types of locations from owning, operating, and storing CEDs or CRTs. Significant adverse aesthetic environmental impacts are therefore not expected from this project because the buildings or site facilities would dominate the site and new facilities (sites) would have to meet local land use criteria or building requirements.

Describe to what extent project activities would:

- a. Have a substantial adverse effect on a scenic vista.  
No potentially significant impact
- b. Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings and historic buildings within a state scenic highway.  
No potentially significant impact
- c. Substantially degrade the existing visual character or quality of the site and its surroundings.  
No potentially significant impact
- d. Create a new source of substantial light of glare that would adversely affect day or nighttime views in the area.  
No potentially significant impact

*Findings of Significance:*

- ☐ Potentially Significant Impact
- ☐ Potentially Significant Unless Mitigated
- ☒ Less Than Significant Impact
- ☐ No Impact

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**2. Agricultural Resources**

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*Project activities likely to create an impact:*

- Management of CRTs and CEDs under the universal waste standards.

*Description of Environmental Setting:*

The project is the adoption and statewide implementation of regulations governing the management of CRTs and CEDs as universal wastes. The regulations do not require or mandate construction of new facilities or infrastructure (i.e., buildings, roads, or disposal facilities). A wide variety of businesses (i.e., retail stores, hospitals, and industrial facilities) and individual households statewide may generate and handle the CRT and CED wastes proposed for management under the universal waste standards. These handlers will be located mainly in urban or industrialized areas throughout the state.

*Regulatory Setting:*

In general, cities and counties have the authority to establish zoning and land use requirements within their jurisdictions. Usually, local area land classifications and land use designations for existing and future developments are identified in area planning documents or General Plans. The California Department of Conservation, Division of Land Resource Protection, provides information and assistance to local jurisdictions to guide land use planning decisions to conserve farmland and open space resources.

*Analysis of Potential Impacts:*

It is not reasonable to expect that CRTs and CEDs would be stored in these agricultural areas as a result of this rulemaking.

The proposed regulations address the statewide management of hazardous waste CRTs and CEDs as universal wastes. The regulations do not mandate or require construction of new facilities or additional infrastructure that would cause farmland to be converted to non-agricultural uses. In addition, existing facilities, and any new facilities that might be established, that collect, manage, treat, store, or transport CRT or CED universal wastes would be subject to local zoning, land use, planning, and building requirements. These local zoning and land use planning requirements address farmland conservation.

Since the proposed regulations do not require new construction and facilities must comply with local zoning and land use requirements (including use of agricultural land), DTSC has determined that implementation of the proposed regulations will have no impact on agricultural resources and further analysis is deemed unnecessary.

*Findings of Significance:*

- ☐ Potentially Significant Impact
- ☐ Potentially Significant Unless Mitigated
- ☐ Less Than Significant Impact
- ☒ No Impact

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**3. Air Quality**

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*Project activities likely to create an impact:*

- Recycling of CRT devices to produce CRT glass.

*Description of Environmental Setting:*

The project is the adoption and statewide implementation of regulations governing the management of CRT and CED hazardous wastes as universal wastes. These handlers will be located throughout the state. For this attribute (air quality), the setting would be those handler locations that conduct CRT recycling. The proposed regulations authorize handlers to recycle CRT devices to produce CRT glass cullet. This activity (crushing the CRTs to produce glass cullet) could potentially impact air quality in the vicinity of the recycler. The proposed regulations require that CRT recycling activities be conducted in accordance with all local air quality management district requirements and that a copy of any required air district permits be submitted to DTSC and to the local Unified Program Agency (UPA) for review.

*Regulatory Setting:*

The California Air Resources Board (CARB) oversees statewide air quality issues in California. CARB implements the federal air quality requirements and establishes health-based ambient air quality standards for California. Currently, standards have been established for nine criteria pollutants, including ozone, carbon monoxide, nitrogen dioxide, sulfur dioxide, suspended particulate matter (PM10), sulfates, lead, hydrogen sulfide, and visibility-reducing particles.

*Analysis of Potential Impacts:*

Describe to what extent project activities would:

- a. Conflict with or obstruct implementation of the applicable air quality plan.

The proposed regulations do not conflict with existing air quality plans. The proposed regulations reinforce the existing air quality regulations by requiring the recyclers to be in compliance with those standards. Recyclers that do not comply with those requirements are not authorized by the proposed regulations.

- b. Violate any air quality standard or contribute substantially to an existing or projected air quality violation.

The proposed regulations are not expected to result in indirect effects that would violate any air quality standard. The proposed regulations reinforce the existing air quality standards by requiring recyclers be in compliance with the existing requirements.

- c. Result in cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors).

The proposed regulations allow recyclers to crush CRTs that could result in the release of particulate lead fines and dusts at levels below the existing regulatory thresholds. The air monitoring data for the one CRT recycling facility in the State supports that no such emissions are occurring (i.e., a permit for the facility was not required by Bay Area Air Quality Management District). Based on this data, DTSC has determined that a net decrease in air quality is unlikely.

- d. Expose sensitive receptors to substantial pollutant concentrations.

As substantial pollutant concentrations are not likely to be produced as a result of the project, it is not likely that any sensitive receptors will be exposed.

- e. Create objectionable odors affecting a substantial number of people.

CRT recycling does not produce any objectionable odors. The material being recycled is predominately glass, an inorganic substance that is odorless even when crushed or broken.

In addition, the following are addressed to meet the requirements set forth under section 711.4 of the Fish and Game Code and the Code of California Regulations, title 14, section 753.5, relating to filing of environmental fees:

- f. Degradation of any air resources that will individually or cumulatively result in a loss of biological diversity among the plants and animals residing in that air.

Plants and animals would not be expected to reside in the air immediately surrounding the CRT grinding and/or crushing equipment. Any particulate matter that was released would be expected to migrate only a short distance because of the density of the material (lead glass). Therefore, loss of biological diversity as a result of the proposed project is unlikely.

*Findings of Significance:*

- ☐ Potentially Significant Impact
- ☐ Potentially Significant Unless Mitigated
- ☒ Less Than Significant Impact
- ☐ No Impact

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#### **4. Biological Resources**

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*Project activities likely to create an impact:*

- Management of CRTs and CEDs under the universal waste standards.

*Description of Environmental Setting:*

The project is the adoption and statewide implementation of regulations governing the management of CRT and CED hazardous wastes as universal wastes. The regulations do not require or mandate construction of new facilities or infrastructure (i.e., buildings, roads, or disposal facilities). A wide variety of businesses (i.e., retail stores, hospitals, and industrial

facilities) and individual households statewide may generate and handle CRTs and CEDs under the universal waste standards. In general, these handlers will be located in urban or industrialized areas throughout the state.

*Regulatory Setting:*

The California Department of Fish and Game (CDFG) and the United States Fish and Wildlife Service (in federal jurisdictions) oversee the protection of wildlife habitat and designate threatened and/or endangered species in California. Local agencies may also establish and enforce policies, ordinances, or plans for wildlife protection, preservation, or habitat conservation.

*Analysis of Potential Impacts:*

The proposed regulations do not require or address construction activities of any kind that could impact or disrupt wildlife, habitat, wetlands, migration, or conflict with policies or plans protecting biological resources. The use of chemicals, including water, during CRT recycling is prohibited by the regulations. Planned and intentional releases of hazardous wastes and their constituents to the environment (water and land) are prohibited under the proposed regulations and any spills or releases must be immediately cleaned-up and managed appropriately. In addition, the regulations waste containment and container requirements ensure that waste CRTs or CEDs are contained. In general, these wastes do not produce air emissions that could impact wildlife of any kind. Therefore, implementation of the proposed regulations will not have a significant impact on biological resources and no further analysis is necessary.

The proposed regulations promulgate standards that allow CRTs and CEDs to be managed as universal wastes. The regulations do not mandate or require construction of new facilities or additional infrastructure to manage the wastes. Existing facilities, and any new facilities that might be established, that may collect, manage, treat, store, or transport CRT and CED wastes would be subject to any local land use and building requirements.

Describe to what extent project activities would:

- a. Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service.  
No Impact
- b. Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, and regulations or by the California Department of Fish and Game or U.S. Fish and Wildlife Service.  
No Impact
- c. Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means.  
No Impact
- d. Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites.  
No Impact
- e. Conflict with local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance.  
No Impact

- f. Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan.  
No Impact

In addition, the following are addressed to meet the requirements set forth under section 711.4 of the Fish and Game Code and the Code of California Regulations, title 14, section 753.5, relating to filing of environmental fees:

Plants:

- Changes to any riparian land or wetlands under state or federal jurisdiction.  
No Impact
- Changes to soil required to sustain habitat for fish and wildlife.  
No Impact
- Any adverse effect to native and non-native plant life.  
No Impact
- Effects to rare and unique plant life and ecological communities dependent on plant life.  
No Impact
- Any adverse effect to listed threatened and endangered plants.  
No Impact
- Effects on habitat in which listed threatened and endangered plants are believed to reside.  
No Impact
- Effects on species of plants listed as protected or identified for special management in the Fish and Game Code, the Public Resources Code, the Water Code, or regulations adopted thereunder.  
No Impact
- Effects on marine and terrestrial plant species subject to the jurisdiction of the Department of Fish and Game and ecological communities in which they reside.  
No Impact

Animals:

- Effects on listed threatened or endangered animals.  
No Impact
- Effects on habitat in which listed threatened or endangered animals are believed to reside.  
No Impact
- Effects on species of animals listed as protected or identified for special management in the Fish and Game Code, the Public Resources Code, the Water Code, or regulations adopted thereunder.  
No Impact
- Effects on marine and terrestrial animal species subject to the jurisdiction of the Department of Fish and Game and the ecological communities in which they reside.  
No Impact

*Findings of Significance:*

- ☐ Potentially Significant Impact
- ☐ Potentially Significant Unless Mitigated
- ☐ Less Than Significant Impact
- ☒ No Impact

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## 5. Cultural Resources

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*Project activities likely to create an impact:*

- Management of CRTs and CEDs under the universal waste standards.

*Description of Environmental Setting:*

The project is the adoption and statewide implementation of regulations governing the management of CRT and CED hazardous wastes as universal wastes. These handlers will be located throughout the state. The regulations do not require or mandate construction of new facilities or infrastructure (i.e., buildings, roads, or disposal facilities). A wide variety of businesses (i.e., retail stores, hospitals, and industrial facilities) and individual households statewide may generate and handle CRTs and CEDs under the universal waste standards. In general, these handlers will be located in urban or industrialized areas throughout the state.

*Regulatory Setting:*

Identification, preservation, and protection of California cultural and historical resources (such as archaeological or paleontological remains, historic buildings, traditional customs, tangible artifacts, historical documents, and extant public) are overseen by the California Office of Historic Preservation. In addition, every local government in California has the authority to adopt local ordinances applying regulations to historic properties. However, local requirements will differ because every local community has different types of historic resources, populations, and development pressures.

*Analysis of Potential Impacts:*

Beyond individual waste generators, collection, storage, or treatment of CRT and CED universal wastes is primarily expected to be conducted at existing businesses or facilities, such as retail stores, or industrial operation. [For example, a retail business selling televisions may opt to accept and store old televisions as a service to their customers.] Universal waste management activities would likely be incidental to the main business activity onsite. These existing businesses would be subject to local zoning, land use, and building requirements, including any public health or cultural and historic resource conservation requirements. New businesses that might be established specifically to collect, manage, treat, or store universal wastes would also be subject to local zoning, planning, and building requirements that address cultural and historic resources.

Because facilities managing CRT or CED universal wastes are subject to federal, state, or local requirements addressing cultural or historic resources, and the proposed regulations do not mandate construction of new facilities, implementation of the regulations will not impact cultural resources in the state and no further analysis is necessary.

Describe to what extent project activities would:

- a. Cause a substantial adverse change in the significance of a historical resource as defined in 15064.5.  
No potentially significant impact
- b. Cause a substantial adverse change in the significance of an archeological resource pursuant to 15064.5.  
No potentially significant impact

- c. Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature.  
No potentially significant impact
- d. Disturb any human remains, including those interred outside of formal cemeteries.  
No potentially significant impact

*Findings of Significance:*

- ☐ Potentially Significant Impact
- ☐ Potentially Significant Unless Mitigated
- ☐ Less Than Significant Impact
- ☒ No Impact

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**6. Geology and Soils**

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*Project activities likely to create an impact:*

- Management of CRTs and CEDs under the universal waste standards.

*Description of Environmental Setting:*

The project is the adoption and statewide implementation of regulations governing the management of CRT and CED hazardous wastes as universal wastes. These handlers will be located throughout the state. The regulations do not require or mandate construction of new facilities or infrastructure (i.e., buildings, roads, or disposal facilities). California exhibits a very broad diversity of geologic environments, with human development superimposed on each. A wide variety of businesses (i.e., retail stores, hospitals, and industrial facilities) and individual households statewide may generate and handle CRTs and CEDs under the project. In general, these handlers will be located in urban or industrialized areas throughout the state, but the wastes may be generated and handled in all areas of the state, irrespective of the geologic conditions.

*Regulatory setting:*

Regional or local agencies establish zoning and building requirements necessary to address the geologic conditions within their jurisdictions, including building siting criteria and structural requirements.

In addition, the California Department of Conservation, California Geologic Survey (CGS), oversees programs related to geologic conditions statewide, including geologic hazards assessments and mapping (such as the Seismic Hazards Mapping Act and the Alquist-Priolo Special Studies Zones Act.) These programs provide the scientific information, such as maps and studies, necessary for individuals and local agencies to comply with established laws and regulations. CGS may also establish statewide regulations and requirements for geology-related activities such as mining or construction.

*Analysis of Potential Impacts:*

The proposed regulations adopt standards that allow CRTs and CEDs to be managed as universal wastes. The regulations do not mandate or require construction of new facilities or



additional infrastructure to manage the wastes. Existing facilities, and any new facilities that might be established, that may collect, manage, treat, store, or transport CRT and CED wastes would be subject to any local land use and building requirements related to geologic conditions in the area, including local seismic concerns and soil conditions.

Because the proposed regulations do not address, require, or mandate construction of any kind and because the proposed regulations only address the management of waste CRTs and CEDs, there will be no impacts associated with geology, geologic structures, or soil conditions in the state. Therefore, no further analysis is deemed necessary.

Describe to what extent project activities would:

- a. Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:
  - Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault. (Refer to Division of Mines and Geology Special Publication 42)  
No Impact
  - Strong seismic ground shaking  
No Impact
  - Seismic-related ground failure, including liquefaction  
No Impact
  - Landslides  
No Impact
- b. Result in substantial soil erosion or the loss of topsoil.  
No Impact
- c. Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in onsite or off-site landslide, lateral spreading, subsidence, liquefaction or collapse.  
No Impact
- d. Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property.  
No Impact
- e. Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of water.  
No Impact

*Findings of Significance:*

- ☐ Potentially Significant Impact
- ☐ Potentially Significant Unless Mitigated
- ☐ Less Than Significant Impact
- ☒ No Impact

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## **7. Hazards and Hazardous Materials**

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*Project activities likely to create an impact:*

- Management of CRTs and CEDs under the universal waste standards.

#### *Description of Environmental Setting:*

The project is the adoption and statewide implementation of regulations governing the management of CRT and CED hazardous wastes as universal wastes. The regulations do not require or mandate construction of new facilities or infrastructure (i.e., buildings, roads, or disposal facilities). A wide variety of businesses (i.e., retail stores, hospitals, and industrial facilities) and individual households statewide may generate and handle CRTs and CEDs under the universal waste standards. In general, these handlers will be located in urban or industrialized areas throughout the state.

#### *Regulatory setting:*

The Department of Toxic Substances Control (DTSC) provides regulatory oversight of the hazardous waste program in California. The United State Environmental Protection Agency (U.S. EPA) has delegated authority to DTSC for implementation of the federal hazardous waste program in the state. Oversight of hazardous waste generators at the local level is provided by DTSC and local agencies known as Unified Program Agencies (UPAs).

In general, a waste must exceed certain regulatory threshold limits to be deemed hazardous waste. The current federal hazardous waste regulatory threshold level for lead is 5.0mg/L using the Toxicity Characteristic Leaching Procedure or TCLP. California's comparable hazardous waste limit is the Soluble Threshold Limit Concentration or STLC. The STLC for lead is also 5.0mg/L. CRT wastes are known to exceed the federal and State regulatory thresholds for hazardous waste for lead. Many CEDs may also exceed these regulatory thresholds or others.

CRT and CED wastes that exhibit a hazardous characteristic are currently subject to regulation as hazardous waste in California. The hazardous waste management standards include: generator accumulation time limits, notification of activity and identification numbers for generators, training requirements for employees that handle hazardous waste, transporting hazardous wastes by registered transporters on a Uniform Hazardous Waste Manifest, and the requirement to send the hazardous waste to a facility that is authorized to accept the hazardous waste (i.e., it cannot be placed in the common trash or sent to a municipal solid waste landfill for disposal). See Table I in the project description for a summary of the hazardous waste management standards. Management of waste CRTs and CEDs in accordance with these standards is baseline regulatory setting for this analysis.

#### *Analysis of Potential Impacts:*

The existing hazardous waste management standards were originally established to address large volumes of industrially generated wastes. The standards establish a mechanism to control and track the wastes from the point of generation to the point of final disposal (known as "cradle-to-grave.") This level of control was established to protect human health and the environment from the consequences of illegal and/or inappropriate disposal of these very hazardous industrial wastes. These wastes come in a variety of forms and physical and chemical states. Therefore, the traditional hazardous waste standards have to accomplish the rigorous task of protecting the environment from a wide range of wastes. Among them are liquid chemical process wastes such as strong acids and bases, solid explosives from munitions factories, semi-solids and contained gasses that spontaneously burst into flame from oil refineries, and highly toxic cyanide solutions from plating industries. U.S. EPA and DTSC have developed complex regulatory systems that are highly effective in safely regulating and controlling this myriad of hazardous wastes. However, the federal and State UWRs provisions were developed to address low-risk wastes that

warrant a similar measure of control over where and when they are finally disposed, but that do not warrant the application of the full hazardous waste standards for handling and transportation.

Following U.S. EPA's criteria and guidelines, DTSC has determined that the CRTs and CEDs that are the subject of this rulemaking are such low-risk wastes. When compared to large-volume industrially generated hazardous wastes, these common everyday devices pose little or no threat to human health, and little threat to the environment if they are mismanaged. The generation, handling, packaging, transport and recycling of these wastes does not warrant the same level of control or level of management standards as these other more "traditional" hazardous wastes. Therefore, DTSC has proposed the universal waste standards for these wastes. The proposed standards and controls for handling, packaging, storing, transporting and recycling these wastes are commensurate with the risks associated with handling these wastes and are sufficient to adequately protect the environment from significant environmental impacts from those activities.

For additional information on the suitability and adequacy of the universal waste standards readers are referred to the "Development of Chosen Alternative" subsection of the Initial Statement of Reasons for the project.

Describe to what extent project activities would:

- a. Create a significant hazard to the public or the environment throughout the routine transport, use or disposal of hazardous materials.

#### USE

Activity: Generation and Handling

Will the proposed standards result in a significant impact upon the environment?

Will the application of the universal waste standards for handling and storage of CRTs and CEDs result in a significant impact upon the environment?

The vast majority of CRTs and CEDs, as products are not handled in any special manner to protect against releases to and impacts upon the environment. DTSC has found no data that supports the theory that handling or storage of these devices in this manner produces a significant impact upon the environment. As previously discussed, the physical and chemical nature of these wastes minimizes the potential for release of hazardous constituents from the wastes during handling. The current regulations (the baseline) allow storage of the waste for time periods ranging from 90 days up to indefinitely.

The proposed regulations require handlers to:

- 1) Manage the electronic hazardous wastes in a manner that prevents any releases to the environment;
- 2) Store the electronic devices for no more than one year;
- 3) Relinquish the devices only to authorized destination facilities or to another handler;
- 4) Immediately contain and clean up any releases that occur; and
- 5) Prohibit the handler/generator from improperly disposing of the electronic hazardous wastes.

DTSC believes there is no difference between the current standards and the proposed regulations that will have a significant impact on the environment. Therefore, DTSC believes that the project is not likely to result in a significant hazard to the public or the environment through use of the CRTs and CEDs.

#### TRANSPORT

Activity: Transport and packaging

Will the proposed standards result in a significant impact upon the environment?

Will the application of the universal waste standards for packaging/containerizing and transport of CRTs and CEDs result in a significant impact upon the environment?

The current (baseline) hazardous waste standards require the CEDs and CRTs to be packaged in leak-tight, closed containers. In addition, the current standards require the CRTs and CEDs to be transported by a registered hazardous waste hauler on a Uniform Hazardous Waste Manifest.

The proposed regulations require the CRTs and CEDs to be packaged in containers that are suitable for the wastes and that lack evidence of spillage or leakage. The proposed regulations allow the CRTs and CEDs to be transported by virtually any person or common carrier. However, the project applies performance standards to those persons engaging in universal waste transport activities. Those standards include:

- 1) Prohibitions on the disposal and treatment of the waste by the transporter;
- 2) Compliance with all U. S. Department of Transportation (DOT), State, and local regulations regarding the transport of hazardous materials;
- 3) Storage time limits, which are identical to the baseline hazardous waste standards; and
- 4) Requirements to immediately contain and clean up any releases of CRTs and CEDs that occur.

DTSC believes there is no difference between the current standards and the proposed regulations that will have a significant impact on the environment. Therefore, DTSC believes that the project is not likely to result in a significant hazard to the public or the environment through transport of the CRTs and CEDs.

#### DISPOSAL

Activity: Disposal

Will the proposed standards result in a significant impact upon the environment?

Will the application of the universal waste standards for disposal of CRTs result in a significant impact upon the environment?

Will the application of the universal waste standards for disposal of CEDs result in a significant impact upon the environment?

CRTs:

The current standards require that CRTs be disposed in a Class I hazardous waste landfill.

The project also requires CRTs be disposed in a Class I hazardous waste landfill.

DTSC believes there is no difference between the two standards that will have a significant impact on the environment. Therefore, DTSC believes that project is not likely to result in significant hazard to the public or the environment through disposal of CRTs.

CEDs:

The current standards require that CEDs be disposed in a Class I hazardous waste landfill.

The proposed regulations allow disposal of some CEDs (those generated by household generators and conditionally exempt small quantity generators) to municipal solid waste landfills until February 09, 2006. The extent to which these are hazardous is that known at this time. After that date, the proposed regulations require disposal of all hazardous CEDs to a Class I hazardous waste landfill.

This exemption was adopted to allow a collection and recycling infrastructure to develop smoothly, without a sudden overload on the management system. Immediate regulation of all universal waste generators pursuant to UWR standards would divert so many CEDs to recyclers and disposal facilities that they would be overloaded. Overloading the destination facilities would have raised the danger of mismanagement and site contamination. It may have also provided an incentive for excessive recycling and disposal fees that would both injure California businesses and establish a pattern of illegal disposal that would be difficult to counter.

The alternative to the proposed temporary disposal exemption would be, in effect, the immediate enforcement of a landfill ban on hazardous CEDs. DTSC evaluated this option and rejected it because it would likely result in a negative impact on the environment due to illegal disposal of hazardous CEDs in unauthorized locations such as in ditches along roadsides, in farm fields, in streams and lakes, and in alley ways and parks in urban areas.

DTSC believes there is no difference between the current standards and the proposed regulations that will have a significant impact on the environment. Therefore, DTSC believes that project is not likely to result in significant hazard to the public or the environment through disposal of CEDs.

- b. Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment.

Activity: Managing CRTs and CEDs as universal wastes

Will the proposed standards result in a significant hazard to the public or the environment through reasonably foreseeable upset or accident conditions due to regulating CRTs and CEDs as universal wastes?

Whether managed under the hazardous waste standards or the universal waste standards CRTs and CEDs contain the same hazardous constituents at the same concentrations. In the event of an upset (e.g., fire, flood, earthquake, etc.) of sufficient magnitude to cause release of those constituents, the effects of the release of those constituents into the environment would be the same regardless of how they were originally handled. In addition, the CRTs and CEDs are typically identified as hazardous waste solely because they contain soluble concentrations of inorganic constituents (i.e., they contain heavy metals). Because of the nature of these low-risk wastes, it is unlikely that any upset would immediately and completely release these constituents into the air or onto the ground, and it is doubtful that the environmental impact would be significant from releasing the intact devices to the environment.

The main threat from these hazardous wastes is the potential for the hazardous constituents of concern to leach into groundwater and eventually reach a receptor. The project contains reduced container and packaging standards compared to the hazardous waste standards. These standards apply through all phases of regulation and handling. The proposed standards are sufficient for the type of waste. These wastes are not in liquid or gaseous form. When spilled, through rupture of a container as may occur in an upset, the electronic wastes would simply fall out of the container. They would not flow into the environment and, therefore, the wastes could be easily cleaned up and recovered. Most of the electronic hazardous waste incorporates significant quantities of flame-retardants into their design. The circuit boards and glass are unlikely to burn in a fire. Thus a significant environmental impact is unlikely to result from managing CRTs and CEDs as universal wastes, even under accident or upset conditions.

- c. Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances or waste within one-quarter mile of an existing or proposed school.

Activity: Managing CRTs and CEDs as universal wastes

The project does not address any acutely hazardous wastes (or materials). Airborne emissions are unlikely (see the discussion under the Air Quality attribute). CRTs and CEDs may be handled as universal wastes within one-quarter mile of existing and future school sites. In fact, these organizations typically generate large number of these electronic hazardous wastes. As these materials do not pose significant risks to the school sites when in use (i.e., prior to discard), and the nature of these devices does not change over time, nor when they become a waste, it is not likely that managing CRTs and CEDs as universal wastes will result in environmental impacts at these locations.

- d. Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code section 65962.5 and, as a result, would it create a significant hazard to public or the environment.

Activity: Managing CRTs and CEDs as universal wastes

The regulations do not mandate or require construction of new facilities or additional infrastructure to manage the wastes. Existing facilities, and any new facilities that might be established, that may collect, manage, treat, store, or transport CRT and CED wastes would be subject to any local land use and building requirements.

- e. Impair implementation of, or physically interfere with, an adopted emergency response plan or emergency evacuation plan.

Activity: Managing CRTs and CEDS as universal wastes

The proposed regulations require that handlers ensure that employees are trained and familiar with emergency procedures but do not mandate site-specific requirements that might impair or interfere with adopted emergency response or evacuation plans.

*Findings of Significance:*

- ☐ Potentially Significant Impact
- ☐ Potentially Significant Unless Mitigated
- ☒ Less Than Significant Impact
- ☐ No Impact

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## **8. Hydrology and Water Quality**

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*Project activities likely to create an impact:*

- Management of CRTs and CEDs under the universal waste standards.

*Description of Environmental Setting:*

The project is the adoption and statewide implementation of regulations governing the management of CRT and CED hazardous wastes as universal wastes. These handlers will be located throughout the state. The regulations do not require or mandate construction of new facilities or infrastructure (i.e., buildings, roads, or disposal facilities). The project will not require

water resources. A wide variety of businesses (i.e., retail stores, hospitals, and industrial facilities) and individual households statewide may generate and handle CRTs and CEDs under the universal waste standards. In general, these handlers will be located in urban or industrialized areas throughout the state.

*Regulatory setting:*

The State Water Resources Control Board (SWRCB) and nine Regional Water Quality Control Boards (RWQCBs) regulate water quality in California. The SWRCB establishes water quality standards and objectives statewide for both surface and ground water. Each of the nine RWQCBs establishes additional requirements within their jurisdictions based on local conditions and beneficial uses of the waters. In addition, the RWQCBs issue National Pollutant Discharge Elimination System (NPDES) permits and Waste Discharge Requirements (WDRs) for discharges to land and water as necessary to ensure compliance with federal and state water quality laws and regulations.

*Analysis of Potential Impacts:*

Universal waste handling and recycling does not require the use of the state's water resources. Therefore, no surface water or groundwater resources are necessary to implement the proposed regulations. Construction of new facilities or infrastructure is not required or mandated by the proposed regulations. Any new facilities that are conducted will be subject to existing zoning and planning requirements. These requirements would protect the state's water resources from significant environmental effects from the construction.

Typically CRTs and CEDs do not contain liquids. The proposed regulations prohibit the use of chemicals, including water, in the CRT recycling processes. Discharges of CRTs and CEDs and the components of those wastes to land, water, sewers, septic systems, or wastewater treatment plants are prohibited under the proposed regulations. The regulations require CRTs and CEDs to be managed in a way that prevents releases of contaminants into the environment and any releases that do occur, must be immediately cleaned-up. DTSC has determined that implementation of the proposed regulations will not impact water resources because discharges are prohibited, releases must be cleaned up, water supply concerns are not an issue for this project and the construction of new facilities is expected to be minimal. Also, new facilities would only be an indirect impact (at most) and their timing and location(s) are unknown. Therefore, it is unlikely that the project would have a significant impact on the State's water quality. Any further analysis would be speculative and is not necessary.

Describe to what extent project activities would:

- a. Violate any water quality standards or waste discharge requirements.  
No potentially significant impact
- b. Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficient in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted).  
No potentially significant impact
- c. Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on or off-site.  
No potentially significant impact

- d. Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on or off-site.  
No potentially significant impact
- e. Create or contribute runoff water which would exceed the capacity of existing or planned storm water drainage systems or provide substantial additional sources of polluted runoff.  
No potentially significant impact
- f. Otherwise substantially degrade water quality.  
No potentially significant impact
- g. Place within a 100-year flood area structures which would impede or redirect flood flows.  
No potentially significant impact
- h. Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam.  
No potentially significant impact
- i. Inundation by sieche, tsunami or mudflow.  
No potentially significant impact

In addition, the following are addressed to meet the requirements set forth under section 711.4 of the Fish and Game Code and the Code of California Regulations, title 14, section 753.5, relating to filing of environmental fees:

- Changes to riparian land, rivers, streams, watercourses and wetlands under state and federal jurisdiction.  
No potentially significant impact
- Changes to any water resources that will individually or cumulatively result in a loss of biological diversity among the plants and animals residing in that water.  
No potentially significant impact

*Findings of Significance:*

- ☐ Potentially Significant Impact
- ☐ Potentially Significant Unless Mitigated
- ☐ Less Than Significant Impact
- ☒ No Impact

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## **9. Land Use and Planning**

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*Project activities likely to create an impact:*

- Management of CRTs and CEDs under the universal waste standards.

*Description of Environmental Setting:*

The project is the adoption and statewide implementation of regulations governing the management of CRT and CED hazardous wastes as universal wastes. These handlers will be located throughout the state. The regulations do not require or mandate construction of new facilities or infrastructure (i.e., buildings, roads, or disposal facilities). A wide variety of businesses (i.e., retail stores, hospitals, and industrial facilities) and individual households statewide may generate and handle CRTs and CEDs under the universal waste standards. In general, these handlers will be located in urban or industrialized areas throughout the state.



*Regulatory setting:*

Local governments in California have the authority to adopt local ordinances and plans addressing land use within their jurisdictions. Local requirements will differ, however, because every local community has different types of resources, populations, and development goals and pressures.

*Analysis of Potential Impacts:*

Implementation of the proposed regulations does not require construction of facilities or infrastructure. Beyond individual waste generators, collection and storage of CRT and CED products and universal wastes are primarily expected to be done at existing businesses or facilities, such as retail stores, or other business and government operations. In these instances, universal waste management activities would likely be incidental to the main business activity onsite. The existing businesses would be subject to local zoning, land use, and planning requirements, including any public health or resource conservation requirements. New businesses that might be established specifically to collect, manage, treat and store CRT and CED universal wastes would also be subject to local zoning, land use, and planning requirements. The regulations specify that CRT recycling activities must be operated in compliance with local zoning ordinances. Because facilities managing CRT and CED universal waste are subject to local land use and planning requirements and the proposed regulations do not mandate new local programs or construction of facilities, implementation of the regulations as proposed will not significantly impact land use and planning in the state. No further analysis is necessary.

Describe to what extent project activities would:

- a. Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect.  
No potentially significant impact
- b. Conflict with any applicable habitat conservation plan or natural community conservation plan.  
No potentially significant impact

*Findings of Significance:*

- ☐ Potentially Significant Impact
- ☐ Potentially Significant Unless Mitigated
- ☐ Less Than Significant Impact
- ☒ No Impact

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**10. Mineral Resources**

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*Project activities likely to create an impact:*

- Management of CRTs and CEDs under the universal waste standards.

#### *Description of Environmental Setting:*

The project is the promulgation and statewide implementation of regulations governing the management of CRT and CED hazardous wastes as universal wastes. These handlers will be located throughout the state. The regulations do not require or mandate construction of new facilities or infrastructure (i.e., buildings, roads, or disposal facilities). Additionally, the management of CRTs and CEDs as universal wastes does not require utilization of mineral resources of the state. A wide variety of businesses (i.e., retail stores, hospitals, and industrial facilities) and individual households statewide may generate and handle CRTs and CEDs under the universal waste standards. In general, these handlers will be located in urban or industrialized areas throughout the state.

California contains numerous mineral resources and reserves that may be mined or exploited under current conditions or at a future date. Existing mineral resources include petroleum resources that are mined via drilling and can be exploited even in urban environments, such as in Los Angeles. Other mineral resources, including gold and construction aggregate, require surface access such that mining activities usually cannot be co-located with houses or buildings. While copper has been mined in California it is not currently a major area of mineral production. Lead, however, has not been extensively mined in California.

#### *Analysis of Potential Impacts:*

The project is the adoption and statewide implementation of regulations governing the management of CRT and CED universal wastes. The regulations do not require or mandate the construction of roads or other appurtenances that would utilize mineral resources. Consequently, implementation of the proposed regulations would not require the development of new or additional mineral resources. Additionally, the project would not require the construction of any facility that would block future access to a mineral resource.

The proposed regulations do include requirements and provisions for recycling eligible wastes. However, the recycling requirement will have no significant effect on mineral mining supply and demand within the state. Therefore, implementation of the proposed regulations will not have an impact on mineral resources in the state. No further analysis is necessary.

Describe to what extent project activities would:

- a. Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state.  
No potentially significant impact
- b. Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan.  
No potentially significant impact

#### *Findings of Significance:*

- ☐ Potentially Significant Impact
- ☐ Potentially Significant Unless Mitigated
- ☐ Less Than Significant Impact
- ☒ No Impact

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## 11. Noise

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*Project activities likely to create an impact:*

- Recycling of CRT devices under universal waste standards.

*Description of Environmental Setting:*

The project is the promulgation and statewide implementation of regulations governing the management of CRT and CED hazardous wastes as universal wastes. These handlers will be located throughout the state. A wide variety of businesses (i.e., retail stores, hospitals, and industrial facilities) and individual households statewide may generate and handle CRTs and CEDs under the universal waste standards. In general, these handlers will be located in urban or industrialized areas throughout the state.

The proposed regulations create an authorization process for persons that conduct specific low-risk CRT recycling activities. Typically, this recycling involves dismantling the compute monitors and televisions and crushing the glass cathode ray tubes to produce crushed glass. This crushing may be done manually or by machine. This activity would generate noise in the local setting.

*Regulatory Setting:*

Local and regional agencies have the authority to establish noise requirements within their jurisdictions. Usually these requirements are associated with construction or industrial activities, but may also address disturbance of the peace in residential or business districts. Employee and worker noise exposure limits from industrial processes or business activities are overseen by Cal-OSHA and established in CCR, Title 8, section 5096. In general, worker noise protection equipment is required when the sound levels exceed 90 decibels (dBA)

*Analysis of Potential Impacts:*

The proposed regulations do not require, mandate, or address construction activities of any kind that would generate noise during construction.

Ambient noise from recycling activities would be subject to all local ordinances and planning requirements. Worker exposure to noise related to recycling activities would be subject to existing OSHA worker safety requirements. Those requirements include the use of appropriate personal protective equipment when necessary. On a statewide basis, there are presently only two operating facilities that will be subject to the proposed regulations. Even if recycling of CRTs were to increase dramatically to 100% of all discarded CRTs, there would probably be less than ten facilities statewide subject to the proposed authorization for CRT recycling facilities. Therefore, the noise impacts on a statewide basis are likely to be less than significant.

Describe to what extent project activities would cause:

- a. Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies.

No potentially significant impact statewide. On a site-specific basis some persons may be exposed to increased noise levels. It is not reasonable to expect persons to locate new recycling facilities in residential areas. The project requires recycling facilities to be

located in appropriately zoned areas (e.g., commercial zoning). Therefore, a significant impact is not expected.

- b. Exposure of persons to or generation of excessive groundbourne vibration or groundbourne noise levels.

No potentially significant impact. CRT recycling activities do not create ground borne vibrations.

- c. A substantial permanent increase in ambient noise levels in the vicinity above levels existing without the project.

No potentially significant impact. CRT recycling activities produce noise only during facility operations. No permanent increases in noise level will be created.

- d. A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project.

The project vicinity is statewide. No significant increase is expected in the state's average ambient noise level. At the site-specific level, a temporary or periodic increase in noise levels will occur at a few discrete locations in the state. This impact is deemed to be less than significant for the State's environment as a whole.

*Findings of Significance:*

- ☐ Potentially Significant Impact
- ☐ Potentially Significant Unless Mitigated
- ☒ Less Than Significant Impact
- ☐ No Impact

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## **12. Population and Housing**

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*Project activities likely to create an impact:*

- Management of CRTs and CEDs under the universal waste standards.

*Description of Environmental Setting:*

The project is the promulgation and statewide implementation of regulations governing the management of CRT and CED hazardous wastes as universal wastes. These handlers will be located throughout the state. The regulations do not require or mandate construction of new facilities or infrastructure (i.e., buildings, roads, or disposal facilities). A wide variety of businesses (i.e., retail stores, hospitals, and industrial facilities) and individual households statewide may generate and handle CRTs and CEDs under the universal waste standards. In general, these handlers will be located in urban or industrialized areas throughout the state.

*Analysis of Potential Impacts:*

While individuals and households may generate and handle waste CRTs and CEDs, the project does not require the construction of any buildings or infrastructure that would compete or interfere with housing construction. The project would not require the demolition of any existing housing.

Consequently, the project will have no impact on housing in the state. No further analysis is necessary.

Describe to what extent project activities would:

- a. Induce substantial population growth in area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure).  
No Impact
- b. Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere.  
No Impact
- c. Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere.  
No Impact

*Findings of Significance:*

- ☐ Potentially Significant Impact
- ☐ Potentially Significant Unless Mitigated
- ☐ Less Than Significant Impact
- ☒ No Impact

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**13. Public Services**

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*Project activities likely to create an impact:*

- Management of CRTs and CEDs under the universal waste standards.

*Description of Environmental Setting:*

The project is the adoption and statewide implementation of regulations governing the management of CRT and CED hazardous wastes as universal wastes. These handlers will be located throughout the state. A wide variety of businesses (i.e., retail stores, hospitals, and industrial facilities) and individual households statewide may generate and handle CRTs and CEDs under the universal waste standards. In general, these handlers will be located in urban or industrialized areas throughout the state.

*Analysis of Potential Impacts:*

The management of CRTs and CEDs as universal wastes would not result in adverse impacts on police protection, fire protection, schools, parks, or other public facilities.

Describe to what extent project activities would:

- a. Result in substantial adverse physical impacts associated with the provision of new or physically altered government facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in

order to maintain acceptable service ratios, response times or other performance objectives for any of the following public services:

- Fire protection: No Impact
- Police protection: No Impact
- Schools: No Impact
- Parks: No Impact
- Other public facilities: No Impact

*Findings of Significance:*

- ☐ Potentially Significant Impact
- ☐ Potentially Significant Unless Mitigated
- ☐ Less Than Significant Impact
- ☒ No Impact

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**14. Recreation**

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*Project activities likely to create an impact:*

- Management of CRTs and CEDs under the universal waste standards.

*Description of Environmental Setting:*

The project is the promulgation and statewide implementation of regulations governing the management of CRT and CED hazardous wastes as universal wastes. These handlers will be located throughout the state. The regulations do not require or mandate construction of new facilities or infrastructure (i.e., buildings, roads, or disposal facilities). A wide variety of businesses (i.e., retail stores, hospitals, and industrial facilities) and individual households statewide may generate and handle CRTs and CEDs under the universal waste standards. In general, these handlers will be located in urban or industrialized areas throughout the state.

*Analysis of Potential Impacts:*

While recreation facilities may generate waste CRTs and CEDs in small quantities, regulation of these wastes as universal wastes will not have a significant impact on the use of or need for recreational facilities in the state. The project does not mandate any construction that would impact the use of recreational facilities. Consequently, the project will have no impact on recreation in the state. No further analysis is necessary.

Describe to what extent project activities would:

- a. Increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated.  
No Impact

- b. Include recreational facilities or require construction or expansion of recreational facilities that might have an adverse physical effect on the environment.  
No Impact

*Findings of Significance:*

- ☐ Potentially Significant Impact
- ☐ Potentially Significant Unless Mitigated
- ☐ Less Than Significant Impact
- ☒ No Impact

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**15. Transportation and Traffic**

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*Project activities likely to create an impact:*

- Transportation of CRTs and CEDs as universal wastes.

*Description of Environmental Setting:*

The project is the promulgation and statewide implementation of regulations governing the management of CRT and CED hazardous wastes as universal wastes. The project does not mandate the construction of any new buildings or facilities that could influence traffic patterns in the state. These handlers will be located throughout the state. A wide variety of businesses (i.e., retail stores, hospitals, and industrial facilities) and individual households statewide may generate and handle CRTs and CEDs under the universal waste standards. In general, these handlers will be located in urban or industrialized areas throughout the state. Some common carriers will transport the CRTs and CEDs. Additionally, some handlers will self-transport the CRTs and CEDs.

*Regulatory setting:*

The United States Department of Transportation (DOT) regulates the transportation of hazardous materials in the United States. In California, DTSC regulates the persons who transport hazardous waste (i.e., registered transporters) and the California Highway Patrol enforces transportation requirements on the public roadways.

Under existing hazardous waste standards, CRTs and CEDs must be transported by registered hazardous waste haulers with the use of a Uniform Hazardous Waste Manifest. The manifest provides a “cradle-to-grave tracking” mechanism for the hazardous waste shipments. Registration of hazardous waste transporters ensures that the transporters are trained and insured.

Under the proposed standards, CRTs and CEDs would not have to be shipped by registered hazardous waste transporters and Uniform Hazardous Waste Manifests would not be required for the shipments. Instead, any person may transport CRTs and CEDs under the universal waste standards. A person who transports a universal waste is defined as a universal waste transporter and is subject to specified requirements including:

- 1) A prohibition on the disposal and treatment of the waste by the transporter.
- 2) Compliance with all U.S. DOT, State, and local regulations regarding the transport of hazardous materials.

- 3) Storage time limits, which are identical to the baseline hazardous waste standards.
- 4) Requirements to immediately contain and clean up any releases of CRTs and CEDs that occur.

In addition, the regulations require the wastes to be packaged in suitable containers that are free of evidence of damage or leakage of the contents.

*Analysis of Potential Impacts:*

There are no potential traffic impacts from the proposed project. However, there is a potential impact to “transportation” from the reduction in the standards that apply to the transportation of the wastes. However, the proposed standards address any potential releases by requiring that they are immediately cleaned up. Although all highway shipments are potentially subject to U.S. DOT standards, the CRTs and CEDs typically are not recognized as hazardous under the U.S. DOT hazardous material classification system. However, the physical nature of the CRTs and CEDs helps to ensure that the material will not escape the containers and/or vehicle during transport. CRTs and CEDs are low-risk wastes (not liquids, fine powders or other easily dispersible materials). Additionally, the proposed standards ensure clean up of any releases that may occur. Therefore, DTSC believes that the transportation of CRTs and CEDs as universal waste will not cause a significant environmental impact.

Describe to what extent project activities would:

- a. Cause an increase in traffic that is substantial in relation to the existing traffic load and capacity of the street system (i.e., result in a substantial increase in either the number of vehicle trips, the volume to capacity ratio on roads, or congestion at intersections).  
No Impact
- b. Exceed, either individually or cumulatively, a level of service standard established by the country congestion management agency for designated roads or highway.  
No Impact
- c. Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment).  
No Impact
- d. Result in inadequate emergency access.  
No Impact
- e. Result in inadequate parking capacity.  
No Impact
- f. Conflict with adopted policies, plans, or programs supporting alternative transportation (e.g., bus turnouts, bicycle racks).  
No Impact

*Findings of Significance:*

- ☐ Potentially Significant Impact
- ☐ Potentially Significant Unless Mitigated
- ☐ Less Than Significant Impact
- ☒ No Impact

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**16. Utilities and Service Systems**

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*Project activities likely to create an impact:*

- Management of CRTs and CEDs under the universal waste standards.



*Description of Environmental Setting:*

The project is the promulgation and statewide implementation of regulations governing the management of CRT and CED hazardous wastes as universal wastes. These handlers will be located throughout the state. The regulations do not require or mandate construction of new facilities or infrastructure (i.e., buildings, roads, or disposal facilities). A wide variety of businesses (i.e., retail stores, hospitals, and industrial facilities) and individual households statewide may generate and handle CRTs and CEDs under the universal waste standards. In general, these handlers will be located in urban or industrialized areas throughout the state.

*Analysis of Potential Impacts:*

Describe to what extent project activities would:

- a. Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board.  
No Impact
- b. Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects.  
No Impact
- c. Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects.  
No Impact
- d. Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed.  
No Impact
- e. Result in determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the projects projected demand in addition to the providers existing commitments.  
No Impact
- f. Be served by a landfill with sufficient permitted capacity to accommodate the projects solid waste disposal needs.  
No Impact
- g. Comply with federal, state, and local statutes and regulations related to solid waste.  
No Impact

*Findings of Significance:*

- ☐ Potentially Significant Impact
- ☐ Potentially Significant Unless Mitigated
- ☐ Less Than Significant Impact
- ☒ No Impact

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**17. Cumulative Effects**

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*Project activities likely to create an impact:*

- Management of CRTs and CEDs under the universal waste standards.

### *Description of Environmental Setting:*

The project is the promulgation and statewide implementation of regulations governing the management of CRT and CED hazardous wastes as universal wastes. These handlers will be located throughout the state. The regulations do not require or mandate construction of new facilities or infrastructure (i.e., buildings, roads, or disposal facilities). A wide variety of businesses (i.e., retail stores, hospitals, and industrial facilities) and individual households statewide may generate and handle CRTs and CEDs under the universal waste standards. In general, these handlers will be located in urban or industrialized areas throughout the state.

### *Analysis of Potential Impacts:*

The only potential cumulative impact is that of the multiple universal waste projects that DTSC and the Legislature have undertaken in the past several years. In general, these universal waste projects have resulted in increased awareness and compliance for all of the universal wastes. This effect (increased compliance) is particularly relevant to CRTs. As a result of emergency regulations adopted in 2001 by DTSC, the proper management of CRTs has greatly increased. DTSC believes this increased compliance will continue under the proposed projects. Because the trend has been towards increased overall compliance with the hazardous waste management program, DTSC believes that the cumulative result of this project and similar past and future projects is unlikely to be a significant effect on the environment.

DTSC is also proposing regulations that would list four currently nonhazardous mercury-containing products as hazardous wastes when discarded (Mercury Waste Classification and Management Regulations, R-02-04). The proposed mercury regulations would allow three of the newly listed mercury-containing hazardous wastes and seven other mercury-containing hazardous wastes to be managed according to the universal waste requirements established in chapter 23, and according to the specific management requirements in the proposed regulations.

The main reason both universal waste rulemaking packages are being proposed at the same time is that the statutory authority necessary for the rulemakings expires on January 1, 2003. Consequently, while each rulemaking is a separate project, they are being undertaken at the same time in order to complete rulemaking activities before the January 1, 2003, authority sunset.

Although the other rulemaking also proposes to regulate certain wastes (certain mercury-containing wastes) as universal waste, the cumulative impact of regulating both mercury-containing wastes and CRTs and CEDs as universal waste will be less than significant because the wastes have different characteristics, are relatively low risk, and management is not restricted to a limited number of handlers. Universal waste management allows for streamlined accumulation and transport standards based on factors related to who generates the waste, waste volumes, and likelihood that wastes will be diverted from municipal or solid waste management systems.

The appropriateness of managing a particular hazardous waste as universal waste is evaluated according to the following criteria<sup>4</sup>:

- Is the waste generated by a wide variety of generators?

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<sup>4</sup> These criteria are currently established in 40 Code of Federal Regulations, part 273, section 273.81, Factors for Petitions to Include Other Wastes Under 40 CFR Part 273. DTSC Rulemaking R-01-06 proposes to include similar criteria in the California UWR.

- Is the waste commonly generated by a wide variety of establishments (including, for example, households, retail and commercial businesses, office complexes, government organizations, as well as large industrial facilities)?
- Is the waste generated by a large number of generators and frequently generated in relatively small quantities by each generator?
- Is the risk posed by waste accumulation and transport relatively low compared to other hazardous wastes and the proposed management standards protective of human health and the environment during accumulation and transport?
- Will management of the waste as universal waste increase the likelihood that the waste will be diverted from non-hazardous waste management systems to recycling, treatment, or disposal in compliance with full hazardous waste management requirements?
- Will regulation of the waste as universal waste improve implementation of and compliance with the hazardous waste management program?

Both the mercury-containing wastes and the CRTs and CEDs wastes identified in both of the proposed rulemakings meet the above criteria for management as universal waste.

Describe to what extent project activities would:

- Increase the need for developing new technologies, especially for managing any hazardous or non-hazardous wastes that the project generates.

Because the waste streams proposed for management under the universal waste requirements have different characteristics and different recycling needs, there will be no cumulative impact on any need for development of new technologies to manage, treat, or recycle the wastes.
- Increase the need for developing new technologies for any other aspects of the projects.

Beyond the waste management, treatment or recycling issues discussed in a. above, new technology development in any other areas of the projects has not been identified.
- Leads to a larger project or leads to a series of projects, or is a step to additional projects. Examples of DTSC projects include Interim Corrective Measures and Removal Actions that are not final remedies for a site or facility.

Concurrent promulgation of both the mercury waste and CRT and CED universal waste management proposed regulations do not represent implementation of steps in a larger project or series of projects. Under both the federal and California Universal Waste Rules, wastes may be added to the list of wastes eligible for management as universal wastes according to the factors and criteria discussed above. However, the addition of any waste to the universal waste program is considered and acted upon separately on the merits of each waste stream, and does not represent a step in a larger project.
- Alters the location, distribution, density or growth rate of the human population of an area.

Both projects address the promulgation and statewide implementation of regulations governing the management of specific hazardous wastes as universal wastes. While individuals and households may generate waste subject to regulation under the both rulemaking proposals, the proposed regulations only address classification and management of universal waste. Neither package includes requires construction or

mandates staffing that would alter the location, distribution, density or growth rate of the human population of any area within the state.

- e. Affect existing housing, public services, public infrastructure, or creates demands for additional housing.

Both projects address the promulgation and statewide implementation of regulations governing the management of specific hazardous wastes as universal wastes. While individuals and households may generate waste subject to regulation under both rulemaking proposals, the proposed regulations only address classification and management of universal waste. Neither package requires construction or mandates staffing that would significantly affect existing housing, public services, public infrastructure, or create a demand for additional housing in any area within the state.

Public services and infrastructure may be indirectly impacted in the areas of fire protection, emergency response, and waste management services from businesses that might be established to accumulate and transport universal wastes. But these impacts are ameliorated by regulatory conditions placed on businesses or individuals operating in accordance with the proposed regulations, and by requirements placed on business by other laws and regulations (i.e., hazardous materials inventory and business plan requirements established by the Governor's Office of Emergency Services and administered locally by the Certified Unified Program Agency). Further analysis would be speculative.

Waste management issues associated with solid waste pickup and disposal facilities should actually improve with implementation of both sets of proposed universal waste regulations. The streamlined universal waste management and recycling provisions will help remove both mercury-containing wastes and CRTs and CEDs from the solid waste management system and municipal landfills and encourage proper disposal or recycling of the wastes.

- f. Be cumulatively considerable on the environments with cumulative adverse effects on air, water, habitats, natural resources, etc.

Both projects involve the promulgation and statewide implementation of regulations governing the management of hazardous waste as universal waste. Both sets of regulations are statewide in scope, do not address site-specific conditions, and do not require or mandate construction of new facilities or infrastructure (i.e., buildings, roads, or disposal facilities) that could cause significant adverse impacts to air, water, wildlife, habitats, or other natural resources. All wastes must be managed in a way that prevents releases of mercury, lead, or other contaminants into the environment and any spills or releases must be immediately cleaned-up, classified according to hazardness, and managed appropriately. Therefore, implementation of both rulemaking packages will not have a cumulatively considerable adverse impact on the environment.

*Findings of Significance:*

- ☐ Potentially Significant Impact
- ☐ Potentially Significant Unless Mitigated
- ☒ Less Than Significant Impact
- ☐ No Impact

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**18. Mandatory Findings of Significance**

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*Project activities likely to create an impact:*

- Management of CRTs and CEDs under the universal waste standards.

*Description of Environmental Setting:*

The project is the promulgation and statewide implementation of regulations governing the management of CRT and CED hazardous wastes as universal wastes. The regulations do not require or mandate construction of new facilities or infrastructure (i.e., buildings, roads, or disposal facilities). A wide variety of businesses (i.e., retail stores, hospitals, and industrial facilities) and individual households statewide may generate and handle CRTs and CEDs under the universal waste standards. In general, these handlers will be located in urban or industrialized areas throughout the state.

*Analysis of Potential Impacts:*

Based on the previous finding in section 1 through 17 above, DTSC finds the project does not:

- a. Have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal, or eliminate important examples of the major periods of California history or prehistory. The Biological and Cultural Resources sections of this special initial study supports this finding.
- b. Have impacts that are individually limited but cumulatively considerable. As used in the subsection, "cumulatively considerable". ["Cumulatively considerable" means that the incremental effects of an individual project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects.] The Cumulative Effects section of this special initial study supports this finding.
- c. Have environmental effects that will cause substantial adverse effects on human beings, either directly or indirectly. The Hazards and Hazardous Materials section of this special initial study supports this finding.

For all the reasons discussed in this document, the project would not have or create any of these impacts.

*Findings of Significance:*

- ☐ Potentially Significant Impact
- ☐ Potentially Significant Unless Mitigated
- Less Than Significant Impact
- ☐ No Impact

V. DETERMINATION OF DE MINIMIS IMPACT FINDING

On the basis of this Special Initial Study:

- I find that there is no evidence before the Department of Toxic Substances Control that the proposed project will have a potential for an adverse effect on wildlife resources or the habitat upon which the wildlife depend. A Negative Declaration with a De Minimis Impact Finding will be prepared.

VI. DETERMINATION OF APPROPRIATE ENVIRONMENTAL DOCUMENT

On the basis of this Special Initial Study:

- I find that the proposed project COULD NOT have a significant effect on the environment. A NEGATIVE DECLARATION will be prepared.
- I find that although the proposed project COULD HAVE a significant effect on the environment, mitigation measures have been added to the project which would reduce these effects to less than significant levels. A NEGATIVE DECLARATION will be prepared.
- I find that the proposed project COULD HAVE a significant effect on the environment. An ENVIRONMENTAL IMPACT REPORT will be prepared.

<b>DTSC Project Manager Signature</b>	<b>Title</b>	<b>Telephone #</b>	<b>Date</b>
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<b>DTSC Branch/ Unit Chief Signature</b>	<b>Title</b>	<b>Telephone #</b>	<b>Date</b>
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## ATTACHMENT A

### SPECIAL INITIAL STUDY REFERENCE LIST for Electronic Hazardous Waste Regulations (DTSC Reference Number R-01-06)

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1. Guidelines for the Official Designation of Scenic Highways, March 1996, State of California, Business, Transportation and Housing Agency, Department of Transportation.  
<http://www.dot.ca.gov/hq/LandArch/scenic/shpg1.htm>
2. Department of Conservation, Division of Land Resource Protection website for general information on assistance available to local agencies on agricultural land use designation and preservation. <http://www.consrv.ca.gov/dlrp/index.htm>
3. California Air Resources Board website for information on criteria pollutants and lead toxic air contaminant information. <http://www.arb.ca.gov>
4. California Office of Historic Preservation website for State and local government information on cultural and historical resources. <http://ohp.parks.ca.gov/>
5. Department of Conservation, California Geological Survey website for Alquist-Priolo Earthquake Fault Zoning Act and Seismic Hazards Mapping Act requirements.  
<http://www.consrv.ca.gov/CGS/index.htm>
6. California Environmental Quality Act Initial Study for California Universal Waste Rule, DTSC Control Number R-97-08, December 2000.
7. California Code of Regulations, title 22, division 4.5.
8. Health and Safety Code, Article 8.7 (section 25199 et seq.), Procedures for the Approval of New Facilities.
9. California Code of Regulations, title 8, section 5096. Exposure Limits for Noise.  
<http://www.dir.ca.gov/title8/5096.html>
10. 49 Code of Federal Regulations, Subchapter C, Hazardous Materials Regulations, Part 171 et seq.